



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/606,683

06/30/2000

Jan-Dieter Spalink

FOV0002-US

8443

26108

7590

06/30/2006

DANIELS DANIELS & VERDONIK, P.A.
SUITE 200 GENERATION PLAZA
1822 N.C. HIGHWAY 54 EAST
DURHAM, NC 27713

EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/606,683	Applicant(s) SPALINK ET AL.	
	Examiner Hussein A. El-chanti	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7, 8, 13, 15, 17-21 and 23-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7, 8, 11, 15, 19, 20 and 23-26 is/are rejected.
- 7) ☒ Claim(s) 17, 18, 21 and 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is responsive to amendment received on May 30, 2006. Claims 1, 8, 23 and 24 were amended. Claims 1-3, 7-8, 13, 15, 17-21 and 23-27 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 7-8, 11, 15, 19-20, 23-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Khan, U.S. Patent No. 6,546,393.

Khan teaches the invention explicitly as claimed including a system and method for classifying and ranking a list of web pages using a plurality of users on a network (see abstract).

As to claims 1, 8, 23 and 24, Khan teaches a method and system respectively for classifying information available on a computer network, the method including:

receiving a list of network resource locators, said list being created by identifying network resources accessed by users of the network from use data which is related to resources accessed by a number of the users of the network (see col. 16 lines 1-25 and col. 13 lines 27-55, a list of bookmarks are downloaded to the client device to be

Art Unit: 2157

categorized by the user, where the list is created based on the number of users that accessed the website or the frequency in which users access the URLs) ;

for each network resource locator of the created list, sending the network resource locator to a graphical user interface (GUI) component of at least one Web-coding workstation connected to the network which is separate from the users of the network (see col. 11 lines 40-col. 12 lines 5, user selects a category for the website using a GUI);

receiving a selection from at least one web coder from the at least one Web-coding workstation, with each selection representing a classification for the resource identified by the sent network resource locator, said selection being generated in response to the web coder using tools of said GUI component and in accordance with a predetermined classification system (see col. 11 lines 40-col. 12 lines 5, user "web coder" manually classifies the URLs received from the network where the user is separate from the other users of the network); and

storing the classification in a separate database in relation to said resource locator and to said at least one Web-coding workstation (see col. 12 lines 1-27, the classification of the website is stored).

As to claim 2, Khan teaches the method of claim 1, wherein the list of network resource locators includes one or more Web sites accessed by users of the network (see col. 11 lines 45-col. 12 lines 27).

As to claims 3 and 11, Khan teaches the method and system of claims 1 and 8 respectively, wherein said tools include a hierarchical taxonomy of classifications and

Art Unit: 2157

said selection represents one of said classifications (see col. 11 lines 45-col. 12 lines 27).

As to claim 7, Khan teaches the method of claim 1, wherein the database is one or more from a group consisting of:

a flat file; a binary tree; a relational database; and an object-oriented database (see col. 11 lines 45-col. 12 lines 27).

As to claim 15, Khan teaches the method of claim 1, wherein the network resource locator is sent to more than one Web-coding workstation, and wherein said classification is assigned based on receiving more than one source selection from said more than one Web-coding workstation (see col. 11 lines 45-col. 12 lines 27).

As to claim 19, Khan teaches the system of claim 11, wherein said at least one graphical user interface (GUI) comprises at least one GUI, and said data store is connected for storing the classification therein based on more than one same classification received for each resource identified (see col. 12 lines 15-27, users submit the classification vote, however the final classification is determined by the editorial staff, i.e. multiple level voting").

As to claim 20, Khan teaches the system of claim 8, wherein the classification processor uses a multiple-level voting system (see col. 12 lines 15-27, users submit the classification vote, however the final classification is determined by the editorial staff, i.e. multiple level voting").

As to claim 25, Khan teaches the method of claim 1, wherein said at least one Web-coding workstation comprises more than one Web-coding workstations, and

Art Unit: 2157

wherein said classification is assigned based on receiving more than one source selection from said more than one Webcoding workstations (see col. 11 lines 45-col. 12 lines 27).

As to claim 26, Khan teaches the system of claim 8, wherein said at least one Web-coding workstation comprises more than one Web-coding workstations, and each one of said more than one Web-coding workstations having said graphical user interface (GUI) component having tools to allow more than one user, each corresponding respectively to one of said more than one Web-coding workstations to select a classification for each resource respectively identified by the resource locator of said lists (see col. 11 lines 45-col. 12 lines 27).

Allowable Subject Matter

3. Claims 17, 18, 21 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein El-chanti

June 21, 2006


ARIETTE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100